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Substitute for form 1449A/PTO		<b>Confirmation Number</b>	7575
<h1>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h1> <p>(use as many sheets as necessary)</p> <p>Sheet 1 of 1</p>		<b>Application Number</b>	10/697,546
		<b>Filing Date</b>	October 30, 2003
		<b>First Named Inventor</b>	David Wynn
		<b>Group Art Unit</b>	1618
		<b>Examiner Name</b>	Micah Paul Young
		<b>Attorney Docket Number</b>	MCP5015USNP

## U.S. PATENT DOCUMENTS

Exam Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Kind Code <sup>2</sup>	Number			

## FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>3</sup>
		Office <sup>4</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Chronopharmaceutics: Science and Technology for Biological Rhythm Guided Therapy and Prevention of Diseases (ISBN 0471743437), pages 123-124, published in 2009	
		A summary table of the Eudragit® range of polymers downloaded on 8 <sup>th</sup> March 2012 from <a href="http://eudragit.evonik.com/product/eudragit/en/downloads/brochures/pages/default.aspx">http://eudragit.evonik.com/product/eudragit/en/downloads/brochures/pages/default.aspx</a>	
		A brochure regarding the Eudragit® range of polymers downloaded on 8 <sup>th</sup> March 2012 from <a href="http://eudragit.evonik.com/product/eudragit/en/downloads/brochures/pages/default.aspx">http://eudragit.evonik.com/product/eudragit/en/downloads/brochures/pages/default.aspx</a>	
		Product information regarding Eudragit® polymers published in 1996	
		Pharmaceutical Dosage Forms: Disperse Systems, Vol. 3, pages 232-235 and 202-204, 1998	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov). <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Sheet 1 of 1

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## CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

☒ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement (See 37 CFR 1.97(e)(1)), or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under § 1.114, no additional fee is required.

OR

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☐ See attached certification statement.

### REMINDER TO THE EXAMINER

In view of, and pursuant to, the holdings of the Federal Circuit Court of Appeals in the cases *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358, 66 U.S.P.Q.2d 1801 (Fed. Cir. 2003); *McKesson Info. Sol'ns v. Bridge Med.*, 487 F.3d 897, 927 (Fed. Cir. 2007); and related cases, Applicants hereby inform the Examiner of the existence of commonly owned pending U.S. Patent Application Serial Nos. . This application has published and is therefore publicly available in PAIR. Moreover, the Patent Office has issued one or more Office Actions in this application. The Examiner is invited to review the prosecution of this application to determine its impact, if any, on the prosecution of the present application. In an effort not to overwhelm the Examiner with an overly large IDS, Applicants are not submitting copies of these publicly available documents. Of course, Applicants would be happy to do so at the Examiner's request.

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609.06.

☐ The relevance of those listed references which are not in the English language is as follows:

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☒ Any fee set forth in 37 CFR 1.17 (p) has been submitted herewith. The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the filing of this communication, or credit any overpayment, to Account No. 10-0750.

### SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/William E. McGowan/	Date (YYYY-MM-DD)	2012-04-11
Name/Print	William E. McGowan	Registration Number	39,301

### CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being electronically filed via EFS-Web to the Commissioner for Patents with the U.S. Patent and Trademark Office on: April 11, 2012

Name (print/type)	Judith Ubyr	Date	2012-04-11
Signature	/Judith Ubyr/	Date	2012-04-11

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